

Subject: PROPOSED WATER SUPPLY NUTRIENT STRATEGY: Tree Save Requirements

From: Melissa Rooney <mmr121570@yahoo.com>

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To: Jason.T.Robinson@ncmail.net, Rich.Gannon@ncmail.net

Hello and thank you for your hard work toward improving the water quality of Jordan Lake, an invaluable NC resource that has long been taken for granted.

I am writing to beseech you to minimize mass-grading practices and enact strong tree-save requirements via the proposed WATER SUPPLY NUTRIENT STRATEGY FOR B. EVERETT JORDAN RESERVOIR.

I am hardly a lawyer, and I find it quite difficult to understand the finer points of the PROPOSED WATER SUPPLY NUTRIENT STRATEGY.

But I'd like to voice (loudly) the need to prevent mass grading of developments whose storm-water drains into Jordan lake.

I live in South Durham, and even Durham's ordinance regarding 'conservation subdivisions' does not prevent developers from completely clearing the bulk of their land (leaving only those trees on the outer edges in order to fulfill so-called 'tree-save' requirements). Such extensive tree-clearing removes mature and extensive root systems that are imperative to the filtration of environmental contaminants (Nitrogen, Phosphorous, fecal coliform), in addition to controlling/minimizing erosion and sedimentation.

Allowing such mass grading, and trying to control storm-water runoff after the fact, seems far from the most rational route to me. Yet this appears to be the process of local and state regulations regarding erosion, sedimentation, and pollution from storm-water run-off.

All too often, developers clear-cut the land, and then avoid enacting storm-water regulations. This is obvious from the following facts, provided by the Stormwater and Erosion Control Division at the Durham County Engineering Department: "between July 1, 2006 and June 30, 2007, our office issued 8 civil penalty assessments, totaling \$139,610. All of these assessments were issued to mass-grade residential projects. Six of eight were issued to residential single - family dwelling unit developments."

Though these offenses generate a fine, those funds hardly repair the damage to the land and water surrounding Jordan Lake. And I've been told, all too often, that developers respond little to fines--only time (i.e. delays) get their attention.

Additionally, I've been informed that two mass-graded sites in Durham have "voluntarily" begun working with polyacrylamide to minimize the turbidity from soil particles too fine to be removed by standard sedimentation control measures. We still don't have the full story on how well polyacrylamide works in sedimentation control, and even more worrisome, how polyacrylamide affects the long-term health of the environment and its animal inhabitants (including humans).

We just seem to be wrapping bigger and bigger bandages while simultaneously picking the wound we are trying to heal.

Again, it would seem far more effective to prevent the damage in the first instance: by enacting bonafide, tree-save requirements, with no loopholes.

For instance, Durham's UDO (section 6.2.4.F.2) requires that conservation subdivisions include (in their 40% open space requirement) the preservation of 'individual existing healthy trees greater than 18 inches dbh.' But if the developer has already fulfilled the 40% open space requirement (which may include unbuildable land like powerline and sewage easements), then he is not obligated to save any remaining trees, no matter how mature/large they are (Durham's planning department has made this abundantly clear).

It saves the developer significant money and time to just mass-grade, build houses/roads, and then plant some young Bradford Pears, whose root systems would take decades to replace the ones lost to mass-grading. But other than developers' inconvenience and financial costs, there seems to be no good reason for mass-grading these areas. Meanwhile, the damage to our land (in the form of flooding and erosion) and to our water resources (in the form of sedimentation and pollution) are irreversible.

I beg you to please enact hard-line regulations restricting mass-grading and requiring true tree-saving practices in the areas whose storm-water feeds Jordan Lake.

Sincerely,
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